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SECURITY COUNCIL
Fiftieth year

Letter dated 16 February 1995 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 24 January 1995 from Ambassador Dragomir Djokić (A/49/839-S/1995/75 and Corr.1).

The said letter asserts that the so-called Federal Republic of Yugoslavia (Serbia and Montenegro) "continued to exist in international relations as a contracted Yugoslav federation" and that the "Federal Republic of Yugoslavia - pending the conclusion of the agreement to regulate the effects of secession from the Yugoslav Federation - is the owner of the assets of the Socialist Federal Republic of Yugoslavia in the territories that seceded from the former federation". These assertions have neither legal nor factual foundation, are totally inconsistent with the findings of the European Union-mandated Badinter Commission, and contravene relevant Security Council and General Assembly resolutions.

As the Belgrade authorities persist in their groundless assertion that they are the sole and automatic successor State of the SFRY and the privileges associated with it, we must once again recall Security Council resolution 777 (1992) of 19 September 1992, stating that "the State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist" and that "the

Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations", and recommending to the General Assembly that it "decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it shall not participate in the work of the General Assembly". Security Council resolution 821 (1993) of 28 April 1993 and General Assembly resolutions 47/1 of 22 September 1992 and 47/229 of 29 April 1993 confirm the unambiguous and authoritative representation made in resolution 777 (1992).

Despite the unambiguous and authoritative representation contained in Security Council resolutions 777 (1992) and 821 (1993) and General Assembly resolutions 47/1 and 47/229, an ambiguous situation within the United Nations itself continues to exist, as manifested in the maintenance at the United Nations of certain attributes of the SFR Yugoslavia that facilitate the assertions of the Belgrade authorities and undermine the relevant resolutions of this body.

To eliminate this regrettable and unnecessary ambiguity and to reverse the undermining of the relevant Security Council and General Assembly resolutions, the long overdue action of removing the flag and the name-plate of the former SFR Yugoslavia from the premises of the United Nations should be taken.

May I ask for your kind assistance in circulating the present letter as a document of the forty-ninth session of the General Assembly, under agenda items 8 and 112, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative